

PROJET DE LOI

ENTITLED

The Gambling (Guernsey) Law, 1971 *

[CONSOLIDATED TEXT]

NOTE

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* Ordres en Conseil Vol. XXIII, p. 109; as amended by the Gambling (Bailiwick of Guernsey) Law, 1974 (Ordres en Conseil Vol. XXIV, p. 400); the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 278); the Gambling (Amendment) (Guernsey) Law, 1997 (No. XXVII of 1997, Ordres en Conseil Vol. XXXVII, p. 494); the Gambling (Amendment) (Guernsey) Law, 2000 (No. II of 2001, Ordres en Conseil Vol. XLI, p. 144); the Guernsey Gambling Control Commission Law, 2001 (No. XXIII of 2001, Ordres en Conseil Vol. XLI, p. 692); the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016). See also the Deputy Bailiff (Guernsey) Law, 1969 (Ordres en Conseil Vol. XXII, p. 122); the Police Force (Bailiwick of Guernsey) Law, 1986 (Ordres en Conseil Vol. XXIX, p. 207); the Fees, Charges and Penalties (Guernsey) Law, 2007 (No. VII of 2008).

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PROJET DE LOI

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The Gambling (Guernsey) Law, 1971

THE STATES, in pursuance of their Resolution of the twenty-seventh day of January, nineteen hundred and seventy-one, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law, as regards those provisions other than subsection (1) of section fourteen, in the Islands of Guernsey, Herm and Jethou and, as regards subsection (1) of section fourteen, throughout the Bailiwick of Guernsey.

General prohibition on gambling.

1. (1) Except as may be provided by the provisions of any Ordinance made under this Law all forms of gambling are unlawful.

(2) A person shall not organise or in any way take part in unlawful gambling.

NOTE

In accordance with the provisions of the Fees, Charges and Penalties (Guernsey) Law, 2007, section 1, Schedule, with effect from 19th May, 2008, the power to prescribe by Ordinance the fees therein referred to and payable under this Law may be exercised by Regulation.

Power of States to make Ordinances in relation to gambling.

2. (1) Subject to the succeeding provisions of this Law, the States may from time to time by Ordinance make such provision as they may deem expedient for making lawful such forms of gambling as may be specified in any such

Ordinance, for regulating any such form of gambling and for matters ancillary thereto, for prohibiting or regulating any form of advertising or publicity relating to any form of gambling and, without prejudice to the generality of the foregoing, they may, in particular, make provision in any such Ordinance for all or any of the following matters –

- (a) empowering the Committee [or the Commission] by order to prescribe conditions for the better conduct and control of, and for matters of administration in connection with, any form of gambling made lawful by Ordinance,
- (b) the fees and other charges to be made by the States for the purposes of any such Ordinance,
- (c) the imposition of penalties in respect of any offence under this Law, being a contravention of any provision of any Ordinance made under this Law, so, however, that such penalties shall not exceed the penalties provided by subsection (1) of section eleven of this Law,
- (d) the licensing of persons to organise any form of gambling made lawful by Ordinance,
- (c) the grant, renewal, suspension or revocation of licences for the organisation of gambling,
- (f) enabling any applicant for a licence for the organisation of gambling to appeal from any decision refusing to grant or renew, suspending or revoking any such

licence, and

(g) generally for carrying this Law into effect.

(2) An Ordinance made under the provisions of this section may make different provisions for different forms of gambling and for different forms of advertising or publicity relating thereto.

NOTES

In section 2, the words in the second pair of square brackets in paragraph (a) of subsection (1) were inserted by the Guernsey Gambling Control Commission Law, 2001, section 25(a), with effect from 1st January, 2002.

The following Ordinances have been made under section 2:

*States Supervisor (Transfer of Functions) (No. 2) Ordinance, 1972;
Gambling (Betting) Ordinance, 1973;
Gambling (Channel Islands Lottery) (Guernsey) Ordinance, 1975;
Gambling (Betting) (Amendment) Ordinance, 1977;
Gambling (Crown and Anchor) (Guernsey) Ordinance, 1983;
Gambling (Betting) (Amendment) Ordinance, 1988;
Gambling (Gaming and Lotteries) Ordinance, 1991;
Gambling (Fees) (Amendment) Ordinance, 1994;
Gambling (Betting) (Amendment) Ordinance, 1995;
Gambling (Crown and Anchor) (Amendment) (Guernsey) Ordinance,
1997;
Gambling (Betting) (Amendment) Ordinance, 1998;
Gambling (Betting) (Amendment) Ordinance, 1999;
Gambling (Gaming and Lotteries) (Amendment) Ordinance, 1999;
Gambling (Casino Gaming) Ordinance, 2001;
Gambling (Crown and Anchor) (Guernsey) (Amendment) Ordinance,
2004;
Alderney eGambling (Operations in Guernsey) Ordinance, 2006;
Gambling (Gaming and Lotteries) (Amendment) Ordinance, 2008;
Gambling (Betting) (Amendment) Ordinance, 2009;
Alderney eGambling (Operations In Guernsey) (Amendment)
Ordinance, 2010;
Alderney eGambling (Operations in Guernsey) (Amendment)
Ordinance, 2014;
Gambling (Betting) (Amendment) Ordinance, 2016;
Gambling (Betting and Crown and Anchor) (Amendment)
Ordinance, 2016.*

Security given in respect of gambling to be deemed to have been given for illegal consideration.

3. Any note, bill, bond, charge or other security or conveyance whatsoever given, granted, drawn or entered into or executed by any person whatsoever where the whole or any part of the consideration for such security or conveyance shall be for money or money's worth won in any gambling transaction, or for reimbursing or repaying any money knowingly lent or advanced for such gambling, or lent or advanced at the time and place of such gambling to any person gambling at such time and place shall be deemed to have been made, drawn, accepted, given or executed for an illegal consideration.

Gambling contracts to be void.

4. (1) Any contract or agreement, whether verbal or written, by way of gambling shall be void, and no action shall be brought or maintained for recovering any money or money's worth alleged to have been won in any gambling transaction, or any money or money's worth deposited in the hands of any person to await the event on which any gamble has been made:

Provided that this paragraph shall not apply to any contribution or subscription, or agreement to contribute or subscribe, for or towards any plate, prize or sum of money to be awarded to the winner of any lawful game, sport, pastime or exercise.

(2) Any promise, express or implied, to pay any person any sum of money paid by him under or in respect of any contract or agreement made void by subsection (1) of this section or to pay any sum of money by way of commission, fee, reward or otherwise in respect of any such contract or agreement, or in respect of any service in relation to any such contract or agreement, shall be void, and no action shall be brought or maintained to recover such sum of money.

Sales by lottery to be void.

5. No action shall be brought or maintained to recover any land, goods or other thing whatsoever sold by means of any game, lottery or other means depending on, or to be determined by, chance or lot.

Cheating to be an offence.

6. Any person who, by means of any fraud or unlawful device or practice in any gambling transaction, wins from any other person for himself or for any other person any money or money's worth, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding [level 5 on the uniform scale] or to imprisonment for a term not exceeding five years or to both such fine and such imprisonment.

NOTE

In section 6, the words and figure in square brackets were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.

Prohibition on inciting young persons to gamble.

7. (1) No person shall for the purpose of earning commission, reward or other profit send, or cause to be sent, to a young person any circular, notice, advertisement, letter, telegram or other document which invites, or may reasonably be implied to invite the young person receiving it to enter or take any share or interest in any gambling transaction, or to apply to any person or at any place, with a view to obtaining advice or information for the purpose of gambling, or for information as to any race, fight, game, sport or other contingency on which any form of gambling is generally carried on.

(2) If any such circular, notice, advertisement, letter, telegram or other document as aforesaid, names or refers to anyone as a person to whom payment may be made, or from whom advice or information may be obtained, for the purpose of, or in relation to, gambling, the person so named or referred to shall be deemed to

have sent, or caused to be sent, such document as aforesaid, unless he proves that he had not consented to be so named, and that he was not in any way party to, and was wholly ignorant of, the sending of such document.

(3) If any circular, notice, advertisement, letter, telegram or other document as aforesaid is sent to any person at any college, school or other place of education, and the person to whom such document is sent is a young person, the person sending the document, or causing it to be sent, shall be deemed to have known that the person to whom it was sent was a young person, unless he proves that he had reasonable grounds for believing such person to be eighteen years of age or over.

Prohibition on gambling transactions with certain persons.

8. (1) Subject to the provisions of subsection (2) of this section, no person shall, whether as principal or as servant or agent of any other person –

- (a) conduct any business in the course of which any gambling transaction is negotiated or entered into with, or on behalf of, a stranger,
- (b) permit a stranger to participate in any form of gambling lawfully conducted, organised or promoted by that person or that other person, as the case may be.

(2) The provisions of subsection (1) of this section shall not apply to –

- (a) the laying-off, by a person carrying on the business of bookmaker in the Island of Guernsey, of bets lawfully negotiated or entered into by him,
- (b) bets (including bets made by way of pool betting)

negotiated or entered into by a stranger on horse races or dog races lawfully run in the Island of Guernsey[,

- (c) the distribution by a licensed pool agent on behalf of a registered pool promoter who is the principal of such agent to persons in the Island of Guernsey of entry forms relating to a pool betting competition promoted by such registered pool promoter, or to the collection by such agent of completed entry forms and entry fees from persons in the Island of Guernsey and the despatch of such forms and fees to such registered pool promoter][,
- (d) a person authorised under and acting in accordance with an Ordinance made pursuant to subsection (2A) of this section.]

[(2A) The States may by Ordinance prescribe circumstances in which, conditions subject to which, the description of strangers with whom and the forms of gambling in relation to which a person may be authorised to engage in the activities described in subsection (1) of this section.

(2B) Subsection (1) of section two of this Law shall apply for the purposes of an Ordinance made under subsection (2A) of this section as if the reference in paragraph (a) to "any form of gambling made lawful by Ordinance" were a reference to "any gambling transaction with a stranger permitted by Ordinance".]

[(3) In this section the expression "**stranger**" means a person who is not actually present in the Bailiwick of Guernsey, or, in the case of a lottery promoted by the States and the States of Jersey, is not actually present in the Channel Islands, and includes a body corporate whether incorporated in the Bailiwick of

Guernsey or elsewhere.]

NOTES

In section 8,

first, paragraph (c) of subsection (2) and the punctuation immediately after paragraph (b) thereof and, second, subsection (3) were inserted by the Gambling (Bailiwick of Guernsey) Law, 1974, respectively section 1(a)(i) and section 1(a)(ii), with effect from 3rd December, 1974;

first, paragraph (d) of subsection (2) and the punctuation immediately after paragraph (c) thereof and, second, subsection (2A) and subsection (2B) were inserted by the Gambling (Amendment) (Guernsey) Law, 1997, respectively section 1(a) and section 1(b), with effect from 19th January, 1998.

The following Ordinances have been made under section 8:

*Alderney eGambling (Operations in Guernsey) Ordinance, 2006;
Alderney eGambling (Operations In Guernsey) (Amendment)
Ordinance, 2010;
Alderney eGambling (Operations in Guernsey) (Amendment)
Ordinance, 2014.*

Powers of police officers.

9. (1) Where any police officer has reasonable grounds for suspecting that any provision of this Law or of any Ordinance made thereunder is being, or has been, or is about to be, contravened in any place to which members of the public resort or have access, he may enter such place and may –

- (a) seize and remove any document, money or valuable thing, instrument or other thing whatsoever found in such place which he has reasonable cause for believing may be required as evidence for the purposes of proceedings in respect of any such contravention, and
- (b) arrest and, subject to the provisions of subsection (2) of

this section, search any person found on the premises whom he has reasonable cause to believe to be committing, or to have committed any such contravention.

(2) A person arrested by virtue of paragraph (b) of subsection (1) of this section shall be searched only by a person of the same sex as the person arrested.

(3) A person shall not wilfully delay or obstruct a police officer in the exercise of his powers under subsection (1) of this section, or fail to produce, when required by the police officer so to do, or conceal or attempt to conceal, any document, money or valuable thing, instrument or other thing to which paragraph (a) of subsection (1) of this section relates.

Powers of the Bailiff to grant warrant for entry in places to which the public does not have the right of access.

10. (1) If the Bailiff is satisfied by information on oath given by a police officer not below the rank of Inspector that there is reasonable ground to believe that in any place to which the public does not have the right of access any provision of this Law or of any Ordinance made thereunder is being, or has been, or is about to be, contravened, he may grant a warrant under his hand, by virtue whereof it shall be lawful for any police officer who is named in the warrant at any time or times within one month from the date thereof, to enter, if need be by force, any place specified in the warrant and there to do all or any of the acts set out in paragraphs (a) and (b) of subsection (1) of section nine of this Law.

(2) A person arrested by virtue of subsection (1) of this section shall be searched only by a person of the same sex as the person arrested.

(3) A person shall not wilfully delay or obstruct a police officer in

the exercise of his powers under subsection (1) of this section, or fail to produce, when required by the police officer so to do, or conceal or attempt to conceal any document, money or valuable thing, instrument or other thing whatsoever to which paragraph (a) of subsection (1) of section nine of this Law relates.

NOTE

In accordance with the provisions of the Deputy Bailiff (Guernsey) Law, 1969, section 5(4), with effect from 9th September, 1969, in the event of the Deputy Bailiff discharging any functions or exercising any powers appertaining to the office of Bailiff which he is authorised to discharge or exercise under or by virtue of the 1969 Law, the provisions contained herein relating to the discharge of such functions or the exercise of such powers shall have effect as if the references herein to the Bailiff included a reference to the Deputy Bailiff.

Offences and penalties.

11. (1) A person who contravenes any provision of this Law or of any Ordinance made thereunder shall be guilty of an offence under this Law and, save where otherwise provided by this Law or by the Ordinance, shall be liable, in the case of a first offence, to a fine not exceeding [level 4 on the uniform scale] or to imprisonment for a term not exceeding six months or to both such fine and such imprisonment and, in the case of a second or subsequent offence under the same provision, to a fine not exceeding [level 5 on the uniform scale] or to imprisonment for a term not exceeding twelve months or to both such fine and such imprisonment.

(2) Where an offence under this Law –

- (a) committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person purporting to act in any such

capacity, he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly,

- (b) is committed –
 - (i) by a servant or agent of any other person, or
 - (ii) except in a case to which sub-paragraph (iii) of this paragraph applies, on any premises by a person other than the occupier or person having the management of the premises, or
 - (iii) at or in connection with any event or any form of gambling by a person other than the person promoting, organizing or conducting the event or the gambling,

the principal, or the occupier or person having the management of the premises, or the person promoting, organizing or conducting the event or the gambling, as the case may require, shall also be guilty of that offence:

Provided that where, by virtue of the provisions of this paragraph, a person is charged with an offence by reason of a contravention on the part of some other person, it shall be a defence for him to prove that the offence was committed without his consent or connivance and that he exercised all due diligence to prevent it.

(3) The court by which any person is convicted of any offence under this Law may order anything produced to the court and shown to the satisfaction of the court to relate to the offence to be forfeited and either destroyed or dealt with in such other manner as the court may order.

NOTE

In section 11, the words and figures in square brackets in subsection (1) were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.

Savings.

12. (1) Nothing in this Law or in any Ordinance made thereunder shall apply to securities issued by the States or by or under the authority of Her Majesty's Government in the United Kingdom by reason of any use or proposed use of chance to select particular securities for special benefits, if the terms of the issue provide that the amount subscribed is to be repayable in full in the case of all the securities.

(2) Nothing in this Law or in any Ordinance made thereunder shall be taken to apply to the disposal by lot of any land, goods or other thing whatsoever under and in accordance with the law, whether customary or enacted, of the Island of Guernsey.

[(3) For the avoidance of doubt, nothing in this Law or in any Ordinance made thereunder shall be taken to render unlawful, void or unenforceable any otherwise lawful contract –

- (a) which is entered into by one or more of the parties thereto by the way of business, and
- (b) the making or performance of which by any party

thereto involves –

- (i) dealing in any way with an investment, or
- (ii) making arrangements for another person to do deal in any way with an investment, or
- (iii) offering or agreeing to deal, or to make such arrangements in relation to an investment.

(4) For the purpose of subsection (3) of this section "**investment**" means any corporeal or incorporeal property or right in the nature of an investment, whether or not a controlled investment within the meaning of the Protection of Investors (Bailiwick of Guernsey) Law, 1987^{*}, and specifically includes all instruments, transactions, rights and interests of a type for the time being described in the Schedule to this Law.

(5) The States may from time to time by Ordinance amend the Schedule to this Law so as to add any investment to, delete any investment from, or vary the description of any investment within, that Schedule.]

NOTES

In section 12, subsection (3), subsection (4) and subsection (5) were inserted by the Gambling (Amendment) (Guernsey) Law, 2000, section 1(a), with effect from 6th March, 2001.

The Protection of Investors (Bailiwick of Guernsey) Law, 1987 has since been repealed by the Protection of Investors (Bailiwick of Guernsey) Law, 2020, section 80(a), with effect from 1st November, 2021, subject to the savings and transitional provisions in section 81 of the 2020 Law.

* Ordres en Conseil Vol. XXX, pp. 281 and 243; No. XII of 1995; No. II of 1997; Recueil d'Ordonnances, Tome XXIV, p. 324; Tome XXVI, p. 333; No. X of 1998.

Interpretation.

13. (1) In this Law, unless the context otherwise requires –

"bookmaker" means any person who, whether on his own account or as servant or agent to any other person, carries on, whether occasionally or regularly, the business of receiving or negotiating bets or conducting pool betting operations, or, by way of business in any manner holds himself out, or permits himself to be held out, as a person who receives or negotiates bets or conducts such operations, so, however, that a person shall not be deemed to be a bookmaker by reason only of the fact that he operates, or is employed in operating, a totalisator[, but does not include a licensed pool agent],

[**"the Commission"** means the Guernsey Gambling Control Commission established by the Guernsey Gambling Control Commission Law, 2001,]

"the Committee" means the States [Committee for Home Affairs],

"contravention" in relation to any requirement, includes a failure to comply with that requirement,

"gambling" includes all forms of betting, gaming and wagering and any lottery and the expression **"gamble"** shall be construed accordingly,

"game of chance" includes a game of chance and skill combined and a pretended game of chance and skill combined, but does not include any athletic game or sport,

"gaming" means the playing of a game of chance for winnings in

money or money's worth, whether any person playing the game is at risk of losing any money or money's worth or not,

"the Island of Guernsey" includes the Islands of Herm and Jethou,

"lawful gambling" means any form of gambling made lawful by Ordinance under section two of this Law,

[**"licensed pool agent"** means a person who in accordance with the provisions of an Ordinance made under the provisions of section two of this Law is authorised by way of business to distribute, collect or despatch within the Island entry forms and entry fees relating to a pool betting competition promoted in the United Kingdom by a registered pool promoter,]

"money" includes a cheque, banknote, currency note, postal order or money order,

"pool betting" means bets made by a number of persons –

- (a) on terms that the winnings of such of those persons as are winners shall be, or be a share of, or be determined by reference to, the stake money paid or agreed to be paid by those persons; whether the bets are made by means of a totalisator, or by filling up and returning coupons or other printed forms, or otherwise, or
- (b) on terms that the winnings of such of those persons as are winners shall be, or shall include, an amount (not determined by reference to the stake money paid or agreed to be paid by those persons) which is divisible in any proportions among such of those persons as are

winners, or

- (c) on the basis that the winners or their winnings shall, to any extent, be at the discretion of the promoter or some other person,

"police officer" means a member of the salaried police force of the Island of Guernsey and, within the limit of his jurisdiction, a member of the special constabulary of the Island of Guernsey,

"premises" includes any place, whether enclosed or not,

[**"registered pool promoter"** means a person who is a registered pool promoter for the purposes of the Betting, Gaming and Lotteries Act 1963,]

"the States" means the States of Guernsey,

[...]

"young person" means a person who has not attained the age of eighteen years.

(2) Except in so far as the context otherwise requires, any reference in this Law and in any Ordinance or order made thereunder to any other enactment shall be construed as a reference to that enactment as repealed and re-enacted, amended, extended or applied by or under any other enactment including this Law.

(3) Any power conferred by this Law to make any Ordinance or order shall be construed as including a power exercisable in the like manner to vary or repeal the Ordinance or order.

NOTES

In section 13,

the words in square brackets in the definition of the expression "bookmaker" in subsection (1) were inserted by the Gambling (Bailiwick of Guernsey) Law, 1974, section 1(b)(i), with effect from 3rd December, 1974;

the definition of the expression "the Commission" in subsection (1) was inserted by the Guernsey Gambling Control Commission Law, 2001, section 25(b), with effect from 1st January, 2002;

the words in square brackets in the definition of the expression "the Committee" in subsection (1) were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 6(a), with effect from 1st May, 2016;¹

the definitions of the expressions "licensed pool agent" and "registered pool promoter" in subsection (1) were inserted by the Gambling (Bailiwick of Guernsey) Law, 1974, respectively section 1(b)(ii) and section 1(b)(iii), with effect from 3rd December, 1974;

the words omitted in square brackets in subsection (1) were repealed by the Gambling (Bailiwick of Guernsey) Law, 1974, section 1(b)(iv), with effect from 3rd December, 1974.

The functions, rights and liabilities of the Home Department and its Minister arising under or by virtue of this Law were transferred to and vested in, respectively, the Committee for Home Affairs and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 6(a), with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.²

The following Ordinance has been made under section 13:

Gambling (Betting and Crown and Anchor) (Amendment) Ordinance, 2016.

In accordance with the provisions of the Police Force (Bailiwick of Guernsey) Law, 1986, section 2(2), with effect from 19th August, 1986, the reference herein to a member of the salaried police force of the Island of Guernsey shall include a reference to a member of a force present in the Island by virtue of an agreement made under section 1 of the 1986 Law.

Repeals.

14. (1) Paragraph 6^o of Article 12 of the Law entitled "Loi relative à l'Application des Peines, tant au Criminel qu'en Police Correctionnelle" registered on the fifth day of July, eighteen hundred and fifty-six^a, is hereby repealed.

(2) The Law entitled "Loi pour la suppression des maisons de jeu, des paris et des poules", registered on the twenty-eighth day of February, nineteen hundred and three^b, is hereby repealed.

NOTE

The Loi relative à l'Application des Peines, tant au Criminel qu'en Police Correctionnelle, 1856 has since been repealed by the Summary Offences (Bailiwick of Guernsey) Law, 1982, section 10, Schedule, with effect from 23rd March, 1982.

Citation and commencement.

15. (1) This Law may be cited as the Gambling (Guernsey) Law, 1971.

(2) This Law shall come into force on such day as the States may by Ordinance appoint.

NOTE

The Law was brought into force on 26th May, 1971 by the Gambling (Guernsey) Law, 1971 (Commencement) Ordinance, 1971, section 1.

^a Ordres en Conseil Vol. I, p. 249.

^b Ordres en Conseil Vol. III, p. 286.

LAWFUL INVESTMENTS NOT CONSTITUTING GAMBLING

Without prejudice to the generality of section 12(4) of this Law the following are within the scope of "**investments**" for the purposes of this Law –

- (a) shares in the share capital of a body corporate or an unincorporated body,
- (b) debentures, debenture stock, loan stock, bonds, certificates of deposit, and other instruments creating or acknowledging indebtedness of a body corporate, an unincorporated body, or a States, government or other public body or organisation,
- (c) units or other interests in a collective investment scheme, closed-ended limited partnership, or closed-ended unit trust,
- (d) rights under a contract of insurance,
- (e) rights under a contract for the deposit of a sum of money to be repaid with or without interest or premium,
- (f) rights under a contract for credit secured on land,
- (g) rights under a contract for differences, or under any other contract the purpose or intended purpose of which is to obtain a profit or avoid a loss by reference to fluctuations in the value or price of property of any

description or in an index or other factor designated for that purpose in the contract,

- (h) rights under a contract for the sale of any property (including currency) under which delivery is to be made at a future date and at a price agreed when the contract is made,
- (i) options to acquire or dispose of any property,
- (j) warrants, certificates or other instruments conferring ownership, subscription, acquisition disposal, underwriting or conversion rights in respect of investments described in this Schedule,
- (k) other rights to, and other interests in, investments described in this Schedule.]

NOTE

The Schedule was inserted by the Gambling (Amendment) (Guernsey) Law, 2000, section 1(b), with effect from 6th March, 2001.

¹ These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 15(a), Schedule 2, paragraph 5(a), with effect from 6th May, 2004.

² The functions, rights and liabilities of the Home Department and its Minister

arising under or by virtue of this Law were previously transferred to and vested in them, respectively, from the Gambling Control Committee and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 15(a), Schedule 2, paragraph 5(a), with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.